



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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SEP 20 2002

Paper No. 8

In re Application of :  
Reuben Hertz : DECISION ON PETITION  
Application No. 09/939,865 :  
Filed: August 27, 2001 :  
For: Handheld Apparatus for :  
Delivery of Particulate Matter With :  
Directional Flow Control :

This is a decision on the petition filed on September 17, 2001 by which petitioner requests that this application be accorded special status for advanced examination out of turn. The \$130.00 petition fee has been received.

The petition is granted.

Petitioner requests special status on the basis of the practice established in MPEP § 708.02(II), Infringement. A review of the materials submitted in support of the petition show that all of the required elements for a petition on that basis have been satisfied.

Accordingly, the examiner will treat this application as special throughout its prosecution. Prior to the first action on the merits, the examiner will conduct a rigorous search for potentially interfering applications. The interference search will be brought up to date prior to each successive action.

The application is being forwarded to the Supervisory Patent Examiner of Patent Examining Art Unit 3723, who will forward the application to the examiner for action consistent with this Decision.

PETITION GRANTED.

Stephen Marcus, Special Program Examiner  
Patent Examining Groups 3710 and 3720

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